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17 June 2016

## **LANZAROTE COMMITTEE**

Committee of the Parties to the Council of Europe  
Convention on the protection of children against sexual  
exploitation and sexual abuse

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### **FOCUSED QUESTIONNAIRE**

**Protecting children affected by the refugee crisis  
from sexual exploitation and sexual abuse**

Adopted by the Lanzarote Committee on 17 June 2016

## Introduction

1. In March 2016 the Council of Europe's Secretary General called for a series of [priority actions to protect children affected by the refugee crisis](#).<sup>1</sup> In this context, the Lanzarote Committee mandated its Bureau to decide on the need to make urgent requests for information on the basis of [Rule 28 \(Special reports and urgent situations\)](#) of its Rules of Procedure.
2. In light of the high number of migrant and asylum-seeking children who have arrived and continue to arrive in Europe and being aware that many may be or become victims of sexual exploitation and sexual abuse, the Bureau suggested that all Parties to the Lanzarote Convention be asked to reply to a few focused questions (see below) to map the ways in which the risks of sexual exploitation and sexual abuse of children arising in the context of the refugees crisis are being dealt with.
3. During its 15<sup>th</sup> meeting (14-17 June 2016), the Lanzarote Committee endorsed its Bureau's suggestion. It also agreed that in view of the urgency of the situation, Parties to the Lanzarote Convention are asked to submit their replies to the focused questionnaire to the Secretariat of the Lanzarote Committee ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) **no later than 15 September 2016**.
4. The Lanzarote Committee will then assess the replies received as a matter of urgency and issue a report on the situation examined as soon as possible. This report will highlight major challenges and promising practices to tackle them. Where appropriate it will put forward recommendations as to specific steps that might be warranted to effectively protect children affected by the refugee crisis from sexual exploitation and sexual abuse and suggest priority areas for targeted cooperation to fully guarantee the human dignity and physical and psychological integrity of these children.

## Preliminary remarks

5. The questions below should be answered bearing in mind that according to Article 3 of the Lanzarote Convention:
  - a) "child" shall mean any person under the age of 18 years;
  - b) "sexual exploitation and sexual abuse of children" shall include the behaviour as referred to in Articles 18 to 23 of the Convention;<sup>2</sup>
  - c) "victim" shall mean any child subject to sexual exploitation or sexual abuse.
6. It is also worth highlighting, in the specific context of the refugee crisis, that Article 11 of the Lanzarote Convention provides that when the age of a victim of sexual exploitation and sexual abuse is uncertain and there are reasons to believe he/she is a child, the protection and assistance measures provided for children shall be accorded to him or her pending verification of his or her age.
7. Finally, Parties are asked to answer the questions from a gender equality perspective, i.e. specifying, where relevant, whether and how measures take into account gender-specific requirements.

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<sup>1</sup> See document SG/Inf(2016)9 final of 4 March 2016.

<sup>2</sup> These are the substantive criminal law provisions in Chapter VI of the Lanzarote Convention which cover sexual abuse (Article 18), offences concerning child prostitution (Article 19), child pornography (Article 20), participation of a child in pornographic performances (Article 21), corruption of children (Article 22) and solicitation of children for sexual purposes (Article 23).

## FOCUSED QUESTIONS

### DATA (Lanzarote Convention, Chapter III)

- 1) How many migrant and asylum-seeking children (accompanied and unaccompanied)<sup>3</sup> are in your country as a result of the refugee crisis?
  - a) Please provide estimates, if exact data is not available, for the period between 1 July 2015 and 30 June 2016,<sup>4</sup> and specify how many of these children are victims or presumed victims of sexual exploitation and sexual abuse;
  - b) Describe how the victims of sexual exploitation and sexual abuse were identified or describe the challenges faced to identify them. Specify whether a distinction is made between victims of sexual exploitation/abuse prior to the entry on your territory (Group 1) and after entry (Group 2) and provide data/estimates of the two groups of victims. Please also explain how the age is determined in case of doubt;
  - c) Indicate also how the data collected is used to offer a coordinated response between the different agencies in charge of the protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children;
  - d) Identify the institution(s) responsible for the collection of above data.

### PREVENTION (Lanzarote Convention, Chapter II)

- 2) What are the specific measures taken to prevent that children affected by the refugee crisis fall victims of sexual exploitation and sexual abuse?
  - a) Highlight in particular the measures (e.g. awareness raising material, specialised training, screening of professionals, etc.) which have proven to be effective;
  - b) Underline any lessons learnt from specific challenges (e.g. in raising awareness on sexual violence amidst other urgent priorities, etc.) that had to be faced to improve prevention.

### PROTECTION (Lanzarote Convention, Chapter IV)

- 3) Has a coordinated child protection approach been put in place to cater for the specific needs of migrant and asylum-seeking children victims of sexual exploitation and/or sexual abuse?
  - a) Describe the measures taken to address the situation and cater for the children's specific needs (multiple traumas, language/cultural differences, etc.), including with respect to guardianship/placement;
  - b) Indicate also what measures have been taken to protect the children concerned from further exploitation/abuse and to assist the victims in seeking redress (please highlight any differences between Groups 1 and 2 of children as outlined above);
  - c) Underline any lessons learnt from specific challenges (in reporting suspicion of sexual exploitation and abuse, in tailoring assistance to the victims, etc.) that had to be faced to improve protection.

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<sup>3</sup> Please provide the definition of accompanied/unaccompanied children in your country and, if available, provide separate figures for accompanied and unaccompanied children. If such data is not available, please provide data on migrant and asylum-seeking children.

<sup>4</sup> If figures for this period are not available, please provide the most recent annual data.

**COOPERATION** (Lanzarote Convention, Chapter IX)

- 4) Provide examples of successful cooperation with other Parties to the Lanzarote Convention for the purpose of:
  - a) Preventing and combating sexual exploitation and sexual abuse of children affected by the refugee crisis;
  - b) Protecting and providing assistance to victims;
  - c) Investigations or proceedings concerning the offences established in accordance with the Lanzarote Convention.

**ANY OTHER ADDITIONAL INFORMATION**

- 5) Please provide any other additional information which may be useful to identify areas for targeted cooperation aimed at ensuring that children affected by the refugee crisis are effectively protected from sexual exploitation and sexual abuse and in guaranteeing their human dignity and physical and psychological integrity.